

REMARKS

In the subject Office Action, claims 67-74 stand rejected. Claims 67-68 and 73 are rejected on formal grounds (35 U.S.C. § 112, second paragraph) and claims 67-74 on art grounds (35 U.S.C. § 103(a)). This Action was made Final.

To begin, applicant wishes to express his appreciation to the Examiner for the time taken for telephonic interviews on April 27 and May 11, 2006. While agreement was not reached on allowable subject matter, in view of the points raised, the Examiner has agreed to reconsider the rejections of record, and to consider amendments to the claims addressing the foregoing formal matters.

Accordingly, applicant has amended the claims to address these formal objections and respectfully requests entry of the amendments, which are minor in nature. It is respectfully submitted that these changes resolve all formal rejections and applicant respectfully solicits the withdrawal of these rejections.

During the Interview, applicant noted that the art rejection of every pending claim is predicated on only one reference, U.S. Patent No. 5,797,127 to Walker, and further, with particular focus on Walker's use of conventional options for airline tickets. As discussed during the Interview, the claimed contingent rights offer of the present invention is substantially different than the conventional option structure presented in Walker, and thus, even on this single point, Walker provides a teaching that is contrary to the claimed invention.

The willingness of the Examiner to reconsider the claims in light of the foregoing discussion is greatly appreciated.

New dependent claim 75 further specifies that, in at least one embodiment, the future outcome is that of one or more participants qualifying for the future event. Thus, claim 75 is patentable over Walker for the reasons mentioned above. Claim 75 is supported throughout the specification, especially at pages 14-22.

No fee is believed to be due with this Response. However, if any fee is due, please charge that fee to Deposit Account No. 50-0310.

Respectfully submitted,



Dated May 12, 2006

Steven D. Underwood, Esq.
Registration No. 47,205
MORGAN, LEWIS & BOCKIUS LLP
101 Park Avenue
New York, NY 10178-0060
(212) 309-6000
Customer No. 09629